#### SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

#### **MINUTES**

#### Corrected

October 15, 2009

The South Carolina Commission on Disabilities and Special Needs met on Thursday, October 15, 2009, at 10:30 AM at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

#### COMMISSION

Present:

Kelly Hanson Floyd, Chairman
Rick Huntress, Vice Chairman (Via Teleconference)
Otis Speight, Secretary
Bobby Harrell
Deborah McPherson
Nancy Banov
Susan Lait

## **DDSN Administrative Staff**

Dr. Eugene Laurent, State Director; Tom Waring, Acting Deputy State Director, David Goodell, Associate State Director, Operations; Kathi Lacy, Associate State Director, Policy; Kevin Yacobi, Director, Internal Audit; Shondala Hall, Internal Audit; Lisa Weeks, Budget Division; Ann Dalton, Director, Quality Assurance; Lois Park Mole, Director, Government and Community Relations; Tana Vanderbilt, General Counsel; Linda Veldheer, Director, HASCI Division; Jennifer Buster, Director, Children's Services; Richard Wnek, Director, Cost Analysis

## **Guests**

Carolyn Brown, Voices for the Voiceless/Parent; Kathleen Roberts, SC PADD and Whitten Center Parent's Club; Mildred Lilley, Parent; Joyce Davis, Executive Director, BIASC; Nancy McCormick, P & A; Diane Epperly, SC Spinal Cord Injury Association; Ralph Courtney, Executive Director, Aiken County DSN Board; George Maky, DHHS; Marian Dunlap, PADD; Betty-Routh Steele, Saleeby Center/Parent; Donna H. Thompson, Babcock Center; Pat Fagan,

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District I Office; Leanne Johnston, SCHSP; Fred Lynn, Whitten Center Parents; Carolyn Myers, Voices for the Voiceless and Parent; Jay Altman, Executive Director, Chester/Lancaster County DSN Board; Roger Stevenson, Director, Greenwood Genetic Center; Veronica Lewis, Kershaw County DSN Board; Gloria M. James, Executive Director, Bamberg County DSN Board; Harold Powell, Chairman, Orangeburg County DSN Board; Ron Lofts, Executive Director, Orangeburg County DSN Board; Crystal Ray, Family Connection of SC; Heather Smith; Brenda Whetsell, Orangeburg County DSN Board; Mary Bennett, SC Autism Society

## Coastal Regional Center (via teleconference)

Suzanne Johnson, Coastal Center Parent; Richard Johnson, Coastal Center Parent; Rick Magner, Executive Director, Charleston DSN Board; Rufus Britt, III, Director, District II Office; John Hitchman, District II Office

## Pee Dee Regional Center (via teleconference)

Ruth Thomas, Executive Director, Darlington County DSN Board

## Whitten Center (via teleconference)

Jason Tavenner, Executive Director, Laurens County DSN Board; Wes Leonard, Staff; Beverly Brewer, Voices for the Vulnerable; John King, Director, District I Office

## York County DSN Board (via teleconference)

Mary Poole, Executive Director, York County DSN Board, Michelle Shaffer, Staff Member

## News Release of Meeting

Mrs. Kelly Floyd, Chairman, called the meeting to order. Dr. Otis Speight read a statement of announcement about the meeting that had been mailed to the appropriate media, interested persons, and posted at the Central Office and on the website in accordance with the Freedom of Information Act.

## **Invocation**

Mrs. Floyd gave the invocation.

## Public Input

There were no requests for Public Input.

## Report from DSN Boards

Mr. Ralph Courtney gave an analogy between DDSN and the newly released movie *Where the Wild Things Are.* He also spoke about the different

October 15, 2009 DDSN Commission Meeting Minutes Page 3 of 7

aspects of effective communication and the Commission making the decision today of naming a new state director for the agency.

## Adoption of the Agenda

On motion of Mr. Bobby Harrell, seconded by Mrs. Deborah McPherson and passed, the Commission approved the agenda for the meeting. (Attachment A)

## Approval of the Minutes of the September 17, 2009 Meetings

On motion of Mrs. McPherson, seconded by Dr. Speight and passed, the Commission approved the September 17, 2009 meeting minutes.

## State Director's Position: Search Committee Report

Mr. Harrell gave an overview of the applicants for State Director that was previously provided to the Commission members for their review. He reported of the search process of the search that was used. The Search Committee brought two names to the Commission for their consideration as Stat Director. The two people named were Mr. Thomas Bannister and Dr. Beverly Buscemi.

Mrs. McPherson made a motion to offer Dr. Beverly Buscemi the position of State Director. Mrs. Nancy Banov seconded the motion. Mrs. Floyd called for a vote on submitting an offer of employment for the State Director to Dr. Beverly Buscemi. By a vote of 4 to 3, Mrs. Floyd announced the motion passed.

On motion for Mr. Harrell, seconded by Mrs. Susan Lait and passed, the Commission voted unanimously to be one hundred percent supportive of the new State Director, Dr. Beverly Buscemi.

#### State Director's Position: Interim Director Status

Dr. Laurent stated that his contract with DDSN will be extended for 30 days in order to support the transition process of the new State Director.

## Old Business: Annual Accountability Report

Dr. Laurent stated all Commission members previously received a copy of the Accountability Report. Mr. Tom Waring and Mr. David Goodell gave a review of the report for members to have a better understanding. Various charts were presented reflecting very positive accomplishments such as DDSN ranking at the top of all Southeastern states in the recently completed United Cerebral Palsy ranking of all states efforts supporting persons with disabilities (page 30 of the FY08/09 DDSN Accountability Report). It was also noted that

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DDSN has deliberately channeled resources to waiver services (page 35 of the FY08/09 DDSN Accountability Report). Mr. Goodell noted that this shows how DDSN's system has been responsive to our consumers and that waiver services are better tailored to support the unique needs of consumers. Mr. Goodell stated that while there has been a significant growth in the number of persons served, we cannot loose sight of the individuals on the waiting list. Mrs. McPherson shared her concern that the aging caregiver situation is worse than what the report reflects due to the fact a population of families delay contacting DDSN until they have a crisis. Mrs. Banov stated that we need to plan for the increasing numbers of persons with autism who may need services in the future due to the increase of the autism birthrate of 1 in 100. Mr. Waring stated the report is used during the legislative process in appropriating funds and this report is available on the websites of DDSN and the Office of State Budget of the State Budget and Control Board.

## Old Business: Consumers' Funds and Property Report

Mr. Kevin Yacobi gave an overview of the Summary Findings for Consumers' Funds and Property which reflects all audits conducted in the fiscal year 2009. Mr. Yacobi reported on-line training is available to staff along with on-site training if requested. Mr. Yacobi stated the Boards are required to reimburse consumers if auditors cannot find source of missing funds or property and that receipts are required whether the family shopped and paid for an item or the consumer's funds were used to purchase an item.

## Old Business: DDSN Appeals Process

Dr. Kathi Lacy explained the Department's Directive for Appeals and Reconsiderations. Any service that is terminated, reduced or suspended can be reconsidered as well as an adverse eligibility or level of care determination. The service coordinator can assist the consumer with writing their appeal. Dr. Laurent stated he has asked staff to review all situations. He also added that appeals related to level of care and waiver or Medicaid services may be appealed to the Department of Health and Human Services for an informal hearing. Discussion followed regarding documentation with Dr. Lacy adding that an appeal would still be considered if notification was not provided in writing to the consumer or his/her family.

## Old Business: Medicaid Coverage of Eliminated Waiver Services

Dr. Lacy stated the Department of Health and Human Services is trying to develop a path for DDSN to access therapy services for adults when needed. Mrs. McPherson stated families need to know before the Centers for Medicare and Medicaid Services eliminates services. Dr. Lacy responded that the service coordinators are being asked to contact the DDSN Central Office and staff will navigate for consumers.

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## New Business: Consideration of Construction Bids

Mr. Tom Waring presented information on the bid to conduct interior renovations to the Work Activity Center at Midlands Center. It was recommended the project be awarded to J. Musselman Construction, Inc. of Charleston, SC in the amount of \$155,815.00. On motion of Mrs. Banov, seconded by Dr. Speight and passed, the Commission approved the bid as presented including using the second lowest bidder if necessary. (Attachment B)

Mr. Tom Waring presented information on the bid to replace the maintenance and storage building at the Saleeby Center. It was recommended the project be awarded to First Class Construction of Lexington, SC in the amount of \$116,532.00. On motion of Dr. Speight, seconded by Mrs. Banov and passed, the Commission approved the bid as presented including using the second lowest bidder if necessary. (Attachment C)

## New Business: Respite Providers

Dr. Lacy stated respite is a very important service to families and can be provided via the waivers or the state funded program. Dr. Lacy reported DDSN staff met with providers of respite services. The family has a lot of influence on the amount of training respite workers need. Dr. Lacy spoke of the support center service which is new. This service will allow the consumer to leave their home to receive respite in a group setting. Some respite providers are working with schools to see if their buildings could be used to provide this service after school. DDSN will allow use of the school or other facility if it is licensed. A parent that works a second or third shift could benefit from this service. The district offices work closely with providers on vacancy bed issues for respite. Discussion followed concerning FICA impacting the rate for the provider and how overnight respite would be counted toward the individual's respite cap.

## New Business: Early Intervention Reduction - Update

Mr. Goodell briefly reviewed the DDSN Early Intervention program. He noted that there are two primary groups of consumers served. Children from birth to three years old are served through the federally funded IDEA Part C program referred to as BabyNet. Approximately two thirds of the BabyNet children receive service coordination and family training from DDSN Early Intervention providers. Many of them also receive therapy services from private contractors that DDSN does not pay for. He reported that the Department of Health and Environmental Control (DHEC) is currently the lead agency of the BabyNet program. However, the Governor recently designated First Steps as the lead agency for the BabyNet program effective January 1, 2010. Children who are age three through five years old are exclusively served by DDSN Early Intervention providers. DDSN funds Early Intervention for approximately

4,000 BabyNet children and 1,000 older children. There has been growth of approximately 20 percent in the number of children receiving Early Intervention services through DDSN in the last two years. Virtually all of this growth has been due to the younger BabyNet children yet there is no funding available to support this increase. Mr. Goodell stated the Commission voted at the July meeting to discontinue serving children with only one delay which would impact 600 children and save \$1.2 million. He reported that as of October 1, all children older than three with only one delay no longer receive Early Intervention services. Because of the complexities of the transition in Lead Agency for the BabyNet program, DHEC has requested that DDSN delay the implementation of the requirement that the BabyNet children receiving Early Intervention through DDSN have two or more delays. They requested a delay from the originally scheduled date of December 1 to January 1. This delay would cost DDSN approximately \$150,000. Mr. Goodell recommended that the Commission approve the delay requested by DHEC. On motion of Mr. Harrell, seconded by Mrs. McPherson and passed, the Commission approved the delay of the EI reduction for BabyNet children with only one delay from December 1, 2009 to January 1, 1010. Mr. Goodell stated there is discussion that First Steps might want to fund DDSN to continue to serve the BabyNet children with only one delay. He noted that if this happens, it would be presented to the Commission for approval.

## Greenwood Genetics Center Update

Dr. Roger Stevenson, Director of the Greenwood Genetic Center, gave a presentation highlighting two important programs DDSN has championed, the Folic Acid and the Metabolic Treatment Programs. Dr. Stevenson reported that DDSN took the lead in implementing the Folic Acid Program which resulted in a return to the State with savings in medical costs. He also reported on the Metabolic Treatment Program which DDSN also took the lead in implementing that involves administering a special formula of milk to infants. This has also resulted in savings to the State. Discussion followed concerning the study of autism. Dr. Stevenson answered various questions. Mrs. Floyd thanked Dr. Stevenson and his staff for their work and accomplishments.

# State Director's Report

Dr. Laurent reported the Senate Medical Affairs Subcommittee on Restructuring met on October 14 but the meeting was more concentrated on DHEC. The Subcommittee is scheduled to meet again on October 28 to address DDSN.

# Next Regular Meeting Date/Location

Mrs. Floyd announced the next Commission meeting would be held November 19, 2009, in Clinton, South Carolina at the Whitten Center.

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On motion of Mr. Harrell, seconded by Dr. Speight the meeting was adjourned.

Submitted by,

Landry Delaney Sandra Delaney

Approved:

Dr. Otis Speight Secretary

## SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

## AGENDA

# South Carolina Department of Disabilities and Special Needs 3440 Harden Street Extension Conference Room 251 Columbia, South Carolina

#### October 15, 2009

10:30 AM

- 1. Notice of Meeting Statement Commissioner Otis Speight
- 2. Invocation Commissioner Kelly Hanson Floyd
- 3. Introduction of Guests
- 4. Public Input
- 5. Report from DSN Boards Mr. Ralph Courtney
- 6. Adoption of Agenda
- 7. Approval of the Minutes of the September 17, 2009 Meeting
- 8. State Director's Position
  - A. Search Committee Report
  - B. Interim Director Status
- 9. Old Business:
  - A. Annual Accountability Report
  - B. Consumers' Funds and Property Report
  - C. DDSN Appeals Process
  - D. Medicaid Coverage of Eliminated Waiver Services
- 10. New Business:
  - A. Consideration of Construction Bids
    - 1. Midlands Center Work Activity Building
    - 2. Saleeby Center Maintenance and Storage Facility
  - B. Respite Providers
  - C. Early Intervention Reduction: Update
- 11. Greenwood Genetics Center Update Dr. Roger Stevenson
- 12. State Director's Report
- 13. Next Regular Meeting Date/Location

PLEASE SILENCE CELL PHONES DURING THE MEETING. THANK YOU.

#### **CONSIDERATION OF BIDS**

## MIDLANDS CENTER WORK ACTIVITY CENTER - RENOVATION STATE PROJECT NO: J16-9826-SG

The project scope includes interior renovation of an existing approximately 10,366 square foot work center building at SCDDSN's Midlands Center campus. Base Bid One work includes limited demolition, floor finishes, painting, new partial height partitions, new sink, and repair of damaged ceramic tile in existing restrooms. Base Bid Two work includes all work in Base Bid One plus additional work to relocate the ice maker including associated electrical and plumbing, constructing an additional storage room, new cabinetry, and providing a hand sink near client work area.

Engineering and Planning recommends that a contract be awarded for BASE BID TWO to J. MUSSELMAN CONSTRUCTION, INC, of CHARLESTON, SC in the amount of \$155,815.00. While no problem is anticipated, permission is requested to award to the second low bidder should the low bidder be determined non-responsive or non-responsible.

Base Bid Two: <u>\$ 155,815.00</u>

Contract Amount: \$ 155,815.00

**ATTACHMENT:** Bid Tabulation

FUNDS: Excess Debt Service

BID DATE: 10/06/09

DATE: 10/07/09

PROJECT NAME:
PROJECT DESCRIPTION:
ARCHITECT/ENGINEER: PROJECT NO.:

J16-9826-SG

Midlands Center Work Activity Center - Renovation Studio 2LR

LOCATION: BID DATE: TIME

Tuesday, October 6, 2009 2:00:00 PM SCDDSN, Room 247, 3440 Harden Street Ext., Columbia, SC 29203

Engineering and Planning 3440 Harden St. Extension, Columbia, SC 29203 Phone: (803) 898-9796



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	Fax						Millwork	Specialty Woodworks
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	White Rock, SC 29177						Flooring	<u> </u>
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## **CONSIDERATION OF BIDS**

# SALEEBY CENTER MAINTENANCE & STORAGE BUILDING REPLACEMENT PEE DEE REGION STATE PROJECT NO: J16-9824-DC

The project scope includes removal of existing concrete ramp and walk from former site of electrical fire damaged modular building, and construction of a slab-on-grade pre-engineered metal building for use as a new 1500 square foot maintenance shop and storage building for SCDDSN Saleeby Center in Hartsville, SC. Exterior walls will be standard metal panels. The new building will be tied into the existing campus fire alarm system and generator.

Engineering and Planning recommends that a contract be awarded for the BASE BID to FIRST CLASS CONSTRUCTION, of LEXINGTON, SC in the amount of \$116,532.00. While no problem is anticipated, permission is requested to award to the second low bidder should the low bidder be determined non-responsive or non-responsible.

Base Bid Two: \$116,532.00

Contract Amount: \$ 116,532.00

**ATTACHMENT:** Bid Tabulation

FUNDS: Excess Debt Service

BID DATE: <u>10/06/09</u>

DATE: 10/07/09

1 067

PROJECT NO.:

PROJECT DESCRIPTION:

ARCHITECT/ENGINEER:

LOCATION:

BID DATE: TIME

PROJECT NAME:

Maintenance & Storage Building Replacement Saleeby Center J16-9824-DC

Goforth Brown & Associates

Tuesday, October 6, 2009 3:00:00 PM SCDDSN, Room 247, 3440 Harden Street Ext., Columbia, SC 29203

Columbia, SC 29203 Phone: (803) 898-9796 Engineering and Planning 3440 Harden St. Extension,

Department
OF
Disabilities
AND
Special Needs SOUTH CAROLINA

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	843-423-6692 (Fax)						
						Plumbing	Strickland Plumbing
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	843-332-5407 (Fax)			•		Electrical	Rivers
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	LICENSE NO.	114706				Pre-Eng. Supplier	American Builders
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10/7/2009